

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND ELECTRIC COMPANY (U 39 M), a California corporation, and the CITY OF SONOMA, a California municipal corporation, for an Order Authorizing the Former to Sell and Convey to the Latter a Certain Parcel of Land in Sonoma County Pursuant to Public Utilities Code Section 851.

Application 99-07-015
(Filed July 8, 1999)

**ORDER GRANTING PACIFIC GAS AND ELECTRIC'S
PETITION TO MODIFY DECISION 99-12-019**

This order grants the motion of Pacific Gas and Electric Company (PG&E) to modify Decision (D.) 99-12-019 and closes the proceeding.

D.99-12-019 granted PG&E's application to transfer certain real property to the City of Sonoma. Among other things, the order directed PG&E to raise associated ratemaking issues in its performance-based ratemaking (PBR) application (Application (A.) 98-11-023). Subsequently, the Commission closed that application pursuant to PG&E's general rate case decision, D.00-02-046.

PG&E's instant petition asks the Commission to modify D.99-12-019 to recognize the change in procedural status of its performance-based ratemaking application and to include related ratemaking issues in PG&E's gain-on-sale proceeding. PG&E subsequently filed the application on September 1, 2000.

No party protested PG&E's petition to modify.

PG&E's request to move ratemaking issues to another proceeding is reasonable. However, we note that A.00-09-002 has been suspended. We intend to address the ratemaking issues in a generic gain-on-sale rulemaking. We will modify D.99-12-019 accordingly and close this proceeding.

Findings of Fact

1. The ratemaking issues relevant to this proceeding cannot be addressed in PG&E's PBR application because that docket is closed.
2. The ratemaking issues relevant to this proceeding may appropriately be addressed in the gain-on-sale proceeding.

Conclusions of Law

1. Ratemaking issues raised in A.99-07-015 should be considered in a generic gain-on-sale rulemaking.
2. D.99-12-019 should be modified and this proceeding should be closed.

Comments on Draft Decision

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code, the otherwise applicable 30-day period for public review and comment is being waived.

Assignment of Proceeding

Carl W. Wood is the Assigned Commissioner and Angela K. Minkin is the assigned Administrative Law Judge in this proceeding.

IT IS ORDERED that:

1. Pacific Gas and Electric Company's petition to modify Decision (D.) 99-12-019 is granted to the extent set forth herein.

2. Ordering Paragraph 5 in D.99-12-019 is modified to read as follows:
“Consideration of the ratemaking issues in this proceeding is deferred to a generic gain-on-sale rulemaking to be initiated in the near future.”

3. Application 99-07-015 is closed.

This order is effective today.

Dated _____, at San Francisco, California.